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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/753,193	12/29/2000	Min Zhu	M-8860 US	2912

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EXAMINER

VU, KIEU D

ART UNIT

PAPER NUMBER

2173

DATE MAILED: 07/18/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/753,193

Applicant(s)

ZHU ET AL.

Examiner

Kieu D Vu

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 29 December 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____ 6) ☐ Other: _____

DETAILED ACTION

1. The listing of references in the specification (pages 2 and 12-13) is not a proper information disclosure statement. 37 CFR 1.98(b) requires a list of all patents, publications, or other information submitted for consideration by the Office, and MPEP § 609 A(1) states, "the list may not be incorporated into the specification but must be submitted in a separate paper." Therefore, unless the references have been cited by the examiner on form PTO-892, they have not been considered.

Claim Objections

2. Claims 9 and 15 are objected to under 37 CFR 1.75(c), as being of improper dependent form for failing to further limit the subject matter of a previous claim. Applicant is required to cancel the claim(s), or amend the claim(s) to place the claim(s) in proper dependent form, or rewrite the claim(s) in independent form.
3. Claims 6, 12, and 18 are objected to because they contain typographical errors. The word "in" in these claims should be changed to "is".

Claim Rejections - 35 USC § 112

4. The following is a quotation of the second paragraph of 35 U.S.C. 112:
- The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.
5. Claims 2, 8, and 14 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claims 2, 8, and 14 recite the limitation "the shared document". There is

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insufficient antecedent basis for this limitation in the claim.

Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

7. Claims 1-5, 7-11, and 13-18 are rejected under 35 U.S.C. 102(e) as being anticipated by Salesky et al ("Salesky", USP 6343313).

Regarding claims 1, 7, 9, 13, and 15, Salesky teaches a computer system for distributed collaborative computing, the system comprising a plurality of server computers connected to a plurality of client computers via a global-area computer network (col 25, lines 23-36); a high-speed direct connection link connecting the plurality of server computers (col 3, lines 16-22) conducting an on-line conference among an arbitrary number of the client computers connected to an arbitrary number of the server computers over the global-area network and the high-speed direct connection link (Fig. 9A) and viewing a document stored on one of the client computers on an arbitrary number of other client computers (col 7, lines 21-34).

Regarding claims 2, 8, and 14, Salesky teaches the spawning one or more processes on the server computers controlling the viewing of the document (col 7, lines 35-55; col 29, lines 59-66) and monitoring the operational status of the spawned

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processes and spawning a new process in the event failure of a spawned process is detected (col 33, lines 16-17).

Regarding claim 3, Salesky teaches sharing an application program executed on one of the client computers on an arbitrary number of other client computers (col 7, lines 21-34).

Regarding claims 4, 10, and 16, Salesky teaches the detecting a failure of one of the server computers handling the on-line conference; disconnecting the failed server computer from the on-line conference; connecting another of the server computers to the conference; and resuming the on-line conference (line 66 of col 26 to line 24 of col 27).

Regarding claims 5, 11, and 18, Salesky teaches the storing information about the status of the on-line conference in the database (col 30, lines 15-24).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 6, 12, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Salesky and Larson et al ("Larson", USP 5907324).

Regarding claims 6, 12, and 18, Salesky does not teach the ensuring that a maximum number of authorized conference participants is not exceeded. However, such feature is known in the art as taught by Larson. Larson teaches a desktop

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conferencing system which comprises the ensuring that a maximum number of authorized conference participants is not exceeded (line 65 of col 1 to line 3 of col 2). It would have been obvious to one of ordinary skill in the art, having the teaching of Salesky and Larson before him at the time the invention was made, to modify the conferencing system taught by Salesky to include the ensuring that a maximum number of authorized conference participants is not exceeded taught by Larson with the motivation being to control the number of authorized conference participants.

10. The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. § 1.111(c) to consider these references fully when responding to this action. The documents cited therein teach about conferencing system which relates to the claimed invention.

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kieu D. Vu whose telephone number is (703-605-1232). The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703- 308-3116).

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

(703)-746-7238 (After Final Communication)

or

(703)-746-7239 (Official Communications)

(703)-746-7240 (For Status Inquiries, draft communication)

and / or:

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(703)-746-5639 (use this FAX #, only after approval by Examiner, for
"INFORMAL" or "DRAFT" communication. Examiners may request that a formal
paper / amendment be faxed directly to them on occasions)

Any inquiry of a general nature or relating to the status of this application or
proceeding should be directed to the receptionist whose telephone number is (703-305-
3900).

Kieu D. Vu

July 7, 2003.

A handwritten signature in black ink, appearing to read 'John Cabeca', with a long horizontal flourish extending to the left.

JOHN CABECA
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100